

AMENDMENTS TO THE DRAWINGS

A replacement sheet for FIGURES 1 and 2 is provided. The replacement drawings do not include new matter.

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## REMARKS

This paper is filed in response to the Office Action mailed on April 4, 2007. Presently, Claims 1-6 are pending in the application. Claims 1-3 and 6 have been examined and stand rejected. Claims 4 and 5 are objected to and have not been examined. Reconsideration of Claims 1-3 and 6 and consideration of Claims 4 and 5 are respectfully requested.

### The Objection to the Drawings Under 37 C.F.R. § 1.83(a)

The drawings are objected to under 37 C.F.R. § 1.83(a) because they purportedly fail to show the name/functions of structural elements 17, 18, 19, and 20 of FIGURE 1 as described in the specification.

In response thereto, FIGURE 1 has been amended to show the names and/or functions of the structural elements 17, 18, 19, and 20.

Therefore, the withdrawal of this objection is respectfully requested.

### The Objection to the Drawings Under 37 C.F.R. § 1.83(b)

The drawings are objected to under 37 C.F.R. § 1.83(b). Applicant respectfully traverses this objection.

The drawings are purportedly incomplete because they fail to illustrate a method as described in Claims 1-5. However, 37 C.F.R. § 1.83(b) applies when the invention consists of an improvement of an old *machine* . . . .

Because Claims 1-5 are related to a *method*, and not to a *machine*, the objection under this section is improper. Therefore, the withdrawal of this objection is respectfully requested.

### The Rejection of Claims 1-3, 6 Under 35 U.S.C. § 102(b)

Claims 1-3 and 6 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Application Publication No. US2003/0039264 (Hando). Applicant respectfully traverses the rejection.

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For a reference to be anticipatory, the reference must exactly describe the claimed invention.

Hando relates to an apparatus and a method for displaying code domain power in a code domain measuring apparatus (Hando, para. [0001]). Therefore, an incoming CDMA signal is down-converted to an IF signal which is further converted to a digital signal in an analog-to-digital converter (A/D) for converting the generated IF-signal into a digital IF-signal, whereas a digital signal processor demodulates the digital IF signal into I and Q components to calculate code domain power (CDP) to be displayed. The digital signal processor descrambles and despreads I and Q components individually. The power distributed on the I- and Q-axes can distinguishably be extracted and displayed to the advantage of the observer (Hando, para. [0008]). The displaying method foresees a distinction between I and Q component powers and also a distinction between the different scrambling codes used in processing the signals (Hando, claim 2).

Hando discloses different patterns for representation of code domain powers of the channels and I or Q components by the display but fails to explicitly refer to their precise function in the figures (Hando, e.g., Fig. 4). Since Hando only mentions active channels and the distinction between different scrambling codes instead of also distinguishing between selectively and individually active or inactive components of one active channel by taking account of the activity or inactivity of the corresponding other component of the same active channel, no interpretation of the patterns in favour to this idea is mentioned or even suggested.

However, Hando does not mention the possibility of the I and Q components of one channel to individually be active or inactive independently from the corresponding other. Hando also does not mention the possibility of distinguishing between an activated I component whose

corresponding Q component is also active and between an activated I component whose corresponding Q component is inactive or the same with I and Q exchanged.

Thus, Hando has the disadvantage that it cannot be distinguished or specified whether the respective displayed I or Q component of one channel is currently active while the corresponding other component of the same channel is also active or just inactive, or whether the component is currently inactive while the other is active or just inactive. Because of this disadvantage, it cannot clearly be seen or specified whether an inactive component provides too much power while the corresponding other active component of the same channel does not provide enough compared to an ideal power distribution, which only occurs when the I and the Q axes of the receiver really are orthogonal, such as in Fig. 2 of the instant application. A distinction between a measured power due to crosstalk and deliberate transmission power is not possible.

The object of the invention is thus to provide an analyzing method that distinguishes between the cases, whether the respective displayed I or Q component of one channel is currently active while the other component of the same channel is also active or just inactive, or whether the component is currently inactive while the other is active or just inactive, as in Claim 1.

Claims 2, 3, and 6 depend from Claim 1. Accordingly, the withdrawal of this rejection is respectfully requested.

The Objection to Claims 4 and 5 Under 37 C.F.R. § 1.75(c)

Claims 4 and 5 are objected to, under 37 C.F.R. § 1.75(e) as being improper multiple dependent claims.

In response thereto, Claims 4 and 5 have been amended. Therefore, the withdrawal of this objection is respectfully requested.

The Objection to Claims 1-5 Under 37 C.F.R. § 1.75(c)

Claims 4 and 5 are objected to under 37 C.F.R. § 1.75(c) as being improperly dependent from a multiple dependent claim. In response thereto, Claims 4 and 5 have been amended to depend from Claim 1.

Claims 1-5 are also objected to under 37 C.F.R. § 1.75(c) for referring to structural elements from the drawings in parentheses. In response thereto, Claims 1-5 have been amended to delete the reference to structural elements.

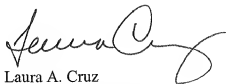
Therefore, the withdrawal of these objections and consideration of Claims 4 and 5 on the merits is respectfully requested.

CONCLUSION

In view of the foregoing amendments and remarks, applicant submits that Claims 1-5 are in condition for allowance. If the Examiner has any further questions or comments, the Examiner may contact applicant's attorney at the number provided below.

Respectfully submitted,

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